

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
IN RE:

AMERICAN LaFRANCE, LLC,

Debtor.

FREIGHTLINER LLC

Plaintiff,

v.

AMERICAN LaFRANCE, LLC,

Defendant.

USDC SDNY
DOCUMENT
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DATE FILED: 8/7/08

Chapter 11
Case No. 08-10178-BLS

(Bankr. D. Del.)

08 CV 08-civ-5625 (BSJ) (BSJ)

(ECF)

STIPULATION

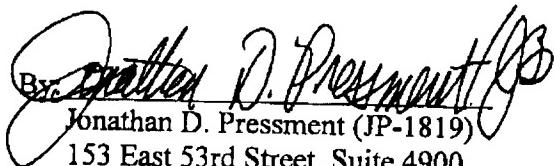
IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for plaintiff Freightliner LLC (“Freightliner” or “plaintiff”) and defendant American LaFrance LLC (“ALF”), that:

1. Freightliner hereby withdraws its Motion of Plaintiff Freightliner LLC, Pursuant to Federal Rule of Bankruptcy Procedure 9027, to Remand, Or, in the Alternative, Pursuant to 28 U.S.C. § 1334, to Abstain and Remand filed on July 21, 2008 without prejudice and without costs or fees to any party.

2. This Stipulation may be executed in one or more counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument. Moreover, signatures of the Stipulation sent by facsimile or electronic mail transmission shall be deemed the equivalent of original signatures.

Dated: New York, New York
August 6, 2008.

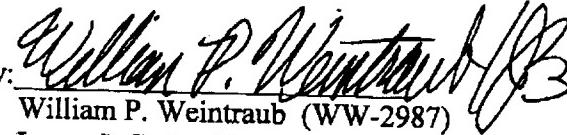
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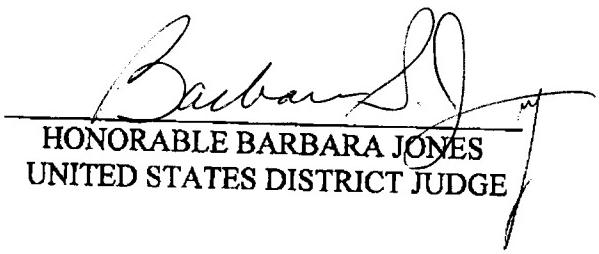
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ADELMAN LLP
Attorneys for Plaintiff

By:


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SO ORDERED.


HONORABLE BARBARA JONES
UNITED STATES DISTRICT JUDGE

8/7/08